

On motion of Senator Doggett and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

NINETEENTH DAY
(Tuesday, February 15, 1983)

The Senate met at 9:30 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Leedom, Lyon, Mauzy, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Washington, Whitmire, Williams.

A quorum was announced present.

The Reverend Bob Brieihan, University United Methodist Church, Austin, offered the invocation as follows:

Awaken our slumbering spirits, Oh God.
Call forth our energies and our imaginations;
focus our eye of concern on the needs of
Your people.
Nurture our stresses and our anguish
as we seek with Your servant Micah.
to do justice, to love kindness and to
walk humbly with You, God. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

House Chamber
February 15, 1983

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 45, Authorizing the Texas DeMolay Association to use House and Senate chambers.

Respectfully,
BETTY MURRAY, Chief Clerk
House of Representatives

CO-AUTHOR OF SENATE BILL 1

On motion of Senator Sarpalius and by unanimous consent, Senator Traeger will be shown as Co-author of S.B. 1.

CO-AUTHOR OF SENATE BILL 340

On motion of Senator Caperton and by unanimous consent, Senator Brooks will be shown as Co-author of S.B. 340.

REPORTS OF STANDING COMMITTEES

Senator Farabee submitted the following report for the Committee on State Affairs:

S.B. 361
C.S.S.B. 122 (Read first time)
C.S.S.B. 222 (Read first time)

Senator Uribe, Vice Chairman, submitted the following report for the Committee on Health and Human Resources:

S.C.R. 20
S.C.R. 19
S.C.R. 17
S.C.R. 16
S.C.R. 15
S.C.R. 14
C.S.S.C.R. 18 (Read first time)
C.S.S.B. 215 (Read first time)

Senator Brooks submitted the following report for the Committee on Health and Human Resources:

C.S.S.B. 33 (Read first time)

SENATE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

S.B. 421 by Farabee Intergovernmental Relations
Relating to the powers and duties of juvenile boards and the establishment of a juvenile board in counties where none exist.

S.B. 422 by Farabee State Affairs
Relating to changing the name of the Texas Youth Council to the Texas Youth Commission.

S.B. 424 by Glasgow Jurisprudence
Relating to correction of a defect in an indictment or information and to waiver of the defendant's right to object to a defect in an indictment or information.

S.B. 425 by Caperton Jurisprudence
Relating to discovery in a criminal case.

S.B. 426 by Caperton Health and Human Resources
Relating to state loans to finance the purchase, installation, or repair of energy conservation devices and renewable energy systems for use in residences or to finance the purchase of residences having energy conservation devices or renewable energy systems; amending Subsection (o), Section 2 and Sections 4 and 10, Texas Housing Agency Act, as amended (Article 12691-6, Vernon's Texas Civil Statutes).

S.B. 427 by Caperton State Affairs
Relating to the operations and continuation of the Texas State Library and Archives Commission.

S.B. 428 by Caperton, Sims, Doggett Education
Relating to the rights, powers and duties of the board of the Texas State University System; providing for disposition and use of funds; amending Subdivision (6), Section 61.003 and Sections 95.03, 95.04, 95.21, 95.22, 95.31, 95.33, and 95.34 and adding Section 95.05 and 95.36, Texas Education Code, as amended, and repealing Sections 96.22 and 96.23.

S.B. 429 by Harris Economic Development
Relating to bank deposit agreements and disclosure of bank records.

S.B. 430 by Sharp Education
Relating to longevity pay for public school employees.

S.B. 431 by Sharp Education
Relating to sick leave for every teacher regularly employed in the public schools of Texas.

S.B. 432 by Sharp Economic Development
Relating to the regulation of health maintenance organizations.

S.B. 433 by Sharp State Affairs
Relating to property tax appraisal for a taxing unit that is located in more than one county.

S.B. 434 by Jones Natural Resources
Relating to mineral interests owned by nonresidents or unknown persons.

S.B. 436 by Jones Economic Development
Relating to regulation of landscape architects.

S.B. 437 by Uribe Intergovernmental Relations
Relating to the authority of a county to borrow money to pay expenses when the county's collection of taxes is delayed for certain reasons.

S.B. 438 by Brown Economic Development
Relating to the authority of a state bank to invest in another bank or a bank holding company.

S.C.R. 28 by Vale Administration
Granting H. B. Zachry Company permission to sue the State.

SENATE RESOLUTION 145

Senator Brown offered the following resolution:

WHEREAS, The Texas Law Enforcement Legislative Council was formed twenty years ago, uniting ten law enforcement organizations in an effort to identify the major priorities for law enforcement in Texas; and

WHEREAS, These law enforcement agencies range from those responsible for apprehending the criminal to those who will later prosecute, including the Texas Police Chiefs Association, Sheriffs Association of Texas, Texas Municipal Police Association, Texas District and County Attorneys Association, Justices of the Peace and Constables Association, Texas Division of International Association for Identification, Texas Crime Prevention Association, Texas Narcotic Officers Association, Texas Police Association, and the East Texas Police Officers Association; and

WHEREAS, These ten organizations are composed of several thousand dedicated individuals who serve to defend and uphold the law; and

WHEREAS, Two representatives from each of these ten organizations are meeting in Austin to work in a cooperative effort for legislation which will improve the criminal justice system in the great State of Texas; now, therefore, be it

RESOLVED, That the Senate of Texas, 68th Legislature, honor the members of the Texas Law Enforcement Legislative Council and commend them for their outstanding effort in defending and upholding the law in Texas; and, be it further

RESOLVED, That a copy of this resolution be sent to the Texas Law Enforcement Legislative Council with best regards for a successful and productive legislative session.

The resolution was read and was adopted.

On motion of Senator Glasgow and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

COMMITTEE APPOINTED

In accordance with the provisions of H.C.R. 19, the President announced the appointment of the following as a Committee to Escort Senator Lloyd Bentsen to the Joint Session: Senators Blake, Brooks, Doggett, Farabee, Parker and Truan.

HOUSE CONCURRENT RESOLUTION 45

The President laid before the Senate the following resolution:

H.C.R. 45, Authorizing the Texas DeMolay Association to use House and Senate chambers on February 19th and 20th, 1983.

The resolution was read.

On motion of Senator Montford and by unanimous consent, the resolution was considered immediately and was adopted.

NOMINEES CONFIRMED

Senator Howard moved that all necessary rules be suspended in order that the Governor's appointments to the Board of Regents, Texas State University System, be considered immediately.

There was no objection.

The Senate confirmed Ruben M. Escobedo, Lee Drain and Katherine Sangster Lowry, to be Members of the Board of Regents, Texas State University System, by the following vote: Yeas 31, Nays 0.

COMMITTEE SUBSTITUTE SENATE BILL 168 ON SECOND READING

On motion of Senator Glasgow and by unanimous consent, the regular order of business, Section 5 of Article III of the State Constitution and all other necessary rules were suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 168, Relating to the regulation of health insurance policies and employee benefit plans which provide benefits for dental care expenses as a result of an accident or sickness and declaring an emergency.

The bill was read second time and was passed to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 168 ON THIRD READING

Senator Glasgow moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 168 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 0.

Absent: Parmer, Washington.

The bill was read third time and was passed.

MOTION TO ADJOURN

On motion of Senator Brooks, the Senate agreed at 9:58 o'clock a.m. to stand adjourned at the conclusion of the Joint Session until 11:00 o'clock a.m. tomorrow.

JOINT SESSION

(To hear address of Senator Lloyd Bentsen)

The President announced that the hour for the Joint Session of the two Houses to hear the address of United States Senator Lloyd Bentsen, pursuant to the provisions of H.C.R. 19, had arrived.

Accordingly, the Senators present, accompanied by the Secretary of the Senate and the Sergeant-at-Arms, repaired to the Hall of the House of Representatives at 10:00 o'clock a.m.

The President, by invitation of the Speaker of the House, occupied a seat on the Speaker's Rostrum.

The President called the Senate to order and announced a quorum of the Senate present.

The Honorable Gib Lewis, Speaker of the House, called the House to order and announced a quorum of the House present.

The Honorable Lloyd Bentsen, United States Senator from Texas, accompanied by the members of his party, was announced by the Doorkeeper of the House.

The Senator's party was escorted to the Speaker's Rostrum by Senators Blake, Brooks, Doggett, Farabee, Parker and Truan on the part of the Senate, and Representatives Hill of Travis, W. Martinez, Edwards, Clemons, Robinson, Carriker, Hightower, Kemp, McWilliams, Hernandez, Wallace, Short, Saunders, Pumbo and Patronella on the part of the House.

The Honorable Gib Lewis, Speaker of the House, presented The Honorable Lloyd Bentsen, United States Senator from Texas, to the Joint Session.

Representative Gerald Hill of Travis introduced Senator Bentsen and Senator Bentsen addressed the Joint Session. (Complete text of address found in House Journal for February 15, 1983.)

Speaker Lewis, following Senator Bentsen's address, presented His Excellency, The Honorable Mark White, Governor of Texas, to the Joint Session.

MEMORIAL RESOLUTIONS

S.R. 149 - By Brooks: Memorial resolution for George Raven.

S.R. 150 - By Brooks: Memorial resolution for Eddie R. Stanford.

S.R. 151 - By Sims: Memorial resolution for Sam Hesse.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 146 - By Brown: Extending congratulations to J. R. Dick Birdwell.

S.R. 148 - By Jones: Commending Ray Alvin Jones for his outstanding accomplishments.

S.R. 152 - By Sharp: Extending welcome to Dr. Ricky Edwards, Capitol Physician for the Day.

ADJOURNMENT

The President announced the purpose of the Joint Session had been accomplished and declared the Senate at 10:35 o'clock a.m. would stand adjourned until 11:00 o'clock a.m. tomorrow, in accordance with a motion previously adopted by the Senate.

TWENTIETH DAY

(Wednesday, February 16, 1983)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Blake, Brooks, Brown, Caperton, Doggett, Edwards, Farabee, Glasgow, Harris, Henderson, Howard, Jones, Kothmann, Leedom, Lyon, Mauzy, McFarland, Montford, Parker, Parmer, Santiesteban, Sarpalius, Sharp, Sims, Traeger, Truan, Uribe, Vale, Washington, Whitmire, Williams.

A quorum was announced present.

The Reverend Susan Sprague, Associate Pastor, First United Methodist Church, Austin, offered the invocation as follows:

Almighty God: You have plans for us, and power to make them happen. Give legislators, executives, and government workers a knowledge of Your will for the world. Let them remember that they serve a public trust, beyond personal gain or glory. May they see that no nation lives for itself alone, but is responsible to You for peace, and for the well-being of all Your children; through Jesus Christ our Lord. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

House Chamber
February 16, 1983

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 213, Relating to notice and probable cause hearings in connection with orders of protective custody. (With amendment)

H.C.R. 44, Honoring the Texas 4-H Program on occasion of Diamond Anniversary.

H.C.R. 65, Designating March as "Texas Book Month".

H.C.R. 75, Recognizing February as Black History Month.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives